

DOCKET# _____
 U.S. DISTRICT COURT
 WEST DIST. OF WISCONSIN

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WISCONSIN

FEB 13 2008

Scientific Molding Corporation, Ltd.,
 d/b/a/ SMC-Innovations,

No.: 07-C-0650-C

FILED
 THERESA M. OWENS, CLERK
 CASE#_____

vs.
 Plaintiff,

**NOTICE OF VOLUNTARY
 DISMISSAL WITHOUT
 PREJUDICE**

Hollywood Gadgets, Inc.,

Defendant.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), Plaintiff SMC-Innovations hereby dismisses the above-captioned case without prejudice. Such dismissal is proper as the adverse party has not filed or served an answer or motion for summary judgment in this case.

Respectfully submitted,

Dated: February 11, 2008

WINTHROP & WEINSTINE, P.A.

By: s/Kyle J. Kaiser
 Brooks F. Poley, MN Bar #0185139
 Kyle J. Kaiser, MN Bar #0345106
 225 South Sixth Street
 Suite 3500
 Minneapolis, Minnesota 55402
 (612) 604-6400
 Attorneys for Plaintiff SMC-Innovations

3643963v1

Copy of this document has been
 provided to: Brooks F. Poley

this 11 day of Feb, 2008

by S. Vogel

S. Vogel, Secretary to
 Judge Barbara B. Crabb

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

Scientific Molding Corporation, Ltd.,) No.: 07-C-0650-C
d/b/a/ SMC-Innovations,)
)
)
)

vs. Plaintiff,) **[PROPOSED] ORDER OF
) DISMISSAL WITHOUT
) PREJUDICE**
)
Hollywood Gadgets, Inc.,)
)
 Defendant.)
)
)
)

Now before the Court is Plaintiff's Notice of Voluntary Dismissal Without Prejudice. Plaintiff seeks to dismiss the case pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). Because Defendant has not answered, filed a motion for summary judgment, or otherwise responded to the complaint, pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), Plaintiff's Notice is proper. Accordingly, it is hereby

ORDERED that Plaintiff's Complaint is hereby **DISMISSED WITHOUT PREJUDICE**, with Plaintiff to bear its own incurred costs, if any.

It is so ordered.

Dated: Feb. 11, 2008

By: Barbara B. Crase
United States District Judge
Western District of Wisconsin